

IN RE STRYKER REJUVENATE &
ABG II MODULAR HIP
IMPLANT LITIGATION

This Document Relates To the Following
Matter Only:

FISHER, RUTH ANN - BER-L-001976-14

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: BERGEN COUNTY
CIVIL ACTION

CASE NO. 296

Master Docket No. BER-L-936-13 MCL

Individual Case Docket No. BER-L-1976-14

**ORDER REGARDING NOTICE TO
NAMED PLAINTIFF: RUTH ANN FISHER**

Pursuant to the New Jersey Supreme Court's Order of January 15, 2013, MCL No. 296 (Master Docket Number BER-L-936-13) was assigned to this Court for centralized case management.

As part of its management obligations, this Court recently undertook an updated review of the pending docket and identified the categories of cases that remain pending on this 2013 MCL docket. On April 25, 2023, an Order was entered identifying the remaining categories of cases that did not qualify for settlement, but have not taken any steps to advance the cases to trial.

Included in the April 25, 2023 Order was the above captioned case, which involves a *bilateral* Claimant who enrolled in the 2014 Phase I settlement program for her left hip and was deemed ineligible for an award, and subsequently enrolled in the 2020 Phase III settlement program for her right hip implant and was deemed eligible and received a settlement award for that hip (right). Apparently, the Claimant will not consent to a dismissal of the entire lawsuit, including the ineligible left hip claims. The April 25, 2023 Order noted that if this case is not voluntarily dismissed entirely in the next thirty (30) days, then this Court will conduct a hearing on May 24, 2023 to determine the viability of this remaining matter proceeding. As of this date, the matter remains pending on this Court's docket.

Accordingly, pursuant to its inherent authority and case management duties assigned to this Court, the following Order is issued:

IT IS on this 12th day of May 2023 **ORDERED:**

FILED

MAY 12 2023

**RACHELLE L. HARZ
J.S.C.**

Only the following matter is within the scope of this Order:

- **FISHER, RUTH ANN - BER-L-001976-14**

1. Plaintiff Ruth Ann Fisher and her current counsel shall appear Via Telephonic Conference or Zoom conference and show cause on **May 24, 2023 at 3:00 PM Eastern Time** why this left-sided hip implant unqualified, ineligible settlement claimant case should not be removed from the trial calendar and dismissed from the MCL docket with prejudice;
2. The May 24, 2023 at 3:00PM Eastern Time conference information is as follows:

To Join VIA TELEPHONE:

Dial in: +1 646 828 7666

Meeting ID: 160 079 9423

Password: 968492

- To join the NJCourts Virtual Courtroom:

Via Zoom App:

Open the application and click “join a meeting”

Enter meeting ID

Type in your name to appear in the participants list

Click on the “join” button

You will now be asked to provide the meeting passcode.

On a Desktop/Laptop Computer:

Type the highlighted link below, into your web browser and click “Launch Meeting”

You will need the meeting ID and passcode to join

Type in your name to appear in the participants list

<https://njcourts.zoomgov.com/j/1600799423?pwd=MExwcTUxSllKVGH3dnJiWWtyalljQT09>

Meeting ID: 160 079 9423

Password: 968492

3. If Plaintiff fails to appear at the conference then the Court shall dismiss this lawsuit with prejudice and without further notice.

Dated: May ____, 2023


HON. RACHELLE L. HARZ, J.S.C.